

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
SHREVEPORT DIVISION**

**DAVID DRACH** : **CIVIL ACTION NO. 09-0989**

**VS.** : **JUDGE S. MAURICE HICKS**

**MICHAEL J. ASTRUE,  
COMMISSIONER, SOCIAL  
SECURITY ADMINISTRATION** : **MAG. JUDGE KAREN L. HAYES**

**ORDER**

On December 7, 2009, the undersigned recommended that this case be dismissed because of plaintiff's failure to timely perfect service. (Dec. 7, 2009, Report and Recommendation [doc. # 5]). Since then, plaintiff has filed the requisite proofs of service indicating that he did, in fact, serve the government by November 16, 2009. (Pl. Obj., Exhs. 1-3 [doc. # 7]). Under the circumstances, the December 7, 2009, Report and Recommendation [doc. # 5] is hereby VACATED. Responsive pleadings are due by March 31, 2010.

IT IS SO ORDERED.

THUS DONE AND SIGNED at Monroe, Louisiana, this 18<sup>th</sup> day of February 2010.

  
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KAREN L. HAYES  
U. S. MAGISTRATE JUDGE